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FMC – attorney fees;
Boston – security zone;
ACPIL – meeting on 3 May;
NOAA – IOOS revised draft PEA;
EPA & USGS – protecting aquatic life from hydrologic alteration;
MARAD – vessel emissions reduction reports;
MARAD – LNG vessel operations emissions report;
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Court – polar bear critical habitat upheld;
Court – summary judgment reversed;
Canada – CTA Review Report;
China – protection of inland waters;
Panama Canal – new Transit Reservation System; and
Singapore – electronic log books.

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Bryant's Maritime News



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*Note: This newsletter is one section of the **Bryant's Maritime Consulting** website. Visit the site for more extensive maritime regulatory information. Individual concerns may be addressed by retaining **Dennis Bryant** directly. Much of the highlighted text in this newsletter constitutes links to Internet sites providing more detailed information. Links on this page may be in PDF format, requiring use of Adobe Acrobat Reader. Comments on these postings are encouraged and may be made by email to the editor or by going to the blog page on the website and clicking the envelope that appears at the end of each posting. Be aware that the daily newsletter is a single posting, even though it contains a number of individual items. Gravity waves were found to be hiding behind the dark matter.*

FMC – attorney fees



The Federal Maritime Commission (FMC) promulgated a final rule governing the award of attorney fees in Shipping Act complaint proceedings, as well as its regulations related to Commissioner terms and vacancies. The rule enters into effect immediately. **81 Fed. Reg. 10508** [located at <https://www.gpo.gov/fdsys/pkg/FR-2016-03-01/pdf/2016-04219.pdf>] (3/1/16).

Boston – security zone



The US Coast Guard promulgated a final rule establishing a permanent security zone on waters in the vicinity of the John Joseph Moakley US Court House in Boston. The rule enters into effect on 31 March and will be enforced upon prior notice of high profile court proceedings. **81 Fed. Reg. 10499** [located at <https://www.gpo.gov/fdsys/pkg/FR-2016-03-01/pdf/2016-04429.pdf>] (3/1/16).

ACPIL – meeting on 3 May



The Advisory Committee on Private International Law (ACPIL), sponsored by the Department of State (DOS), will meet on 3 May in Washington, DC to prepare for the upcoming meeting of the United Nations Commission on International Trade Law (UNCITRAL) Working Group IV session on electronic transferrable records. **81 Fed. Reg. 10701** [located at <https://www.gpo.gov/fdsys/pkg/FR-2016-03-01/pdf/2016-04522.pdf>] (3/1/16).

NOAA – IOOS revised draft PEA



The National Oceanic and Atmospheric Administration (NOAA) seeks comments on its revised draft Programmatic Environmental Assessment (PEA) for the US Integrated Ocean Observing System (IOOS). Comments must be submitted by 15 March. **81 Fed. Reg. 10595** [located at <https://www.gpo.gov/fdsys/pkg/FR-2016-03-01/pdf/2016-04484.pdf>] (3/1/16).

EPA & USGS – protecting aquatic life from hydrologic alteration



The Environmental Protection Agency (EPA) and the US Geological Survey (USGS) seek comments on the draft technical report “Protecting Aquatic Life from Effects of Hydrologic Alteration”. Comments must be received by 2 May. **81 Fed. Reg. 10620** [located at <https://www.gpo.gov/fdsys/pkg/FR-2016-03-01/pdf/2016-04448.pdf>] (3/1/16).

MARAD – vessel emissions reduction reports



The Maritime Administration (MARAD) issued a **news release** announcing availability of two vessel emission reduction reports. MARAD provided funding for repowering of one tug in Puget Sound and another on the inland rivers. The reports document the emission reduction and the improvement in fuel efficiency. (2/26/16) [located at http://www.marad.dot.gov/newsroom/news_release/2016/maritime-administration-releases-vessel-emission-reduction-reports/].

MARAD – LNG vessel operations emissions report



The Maritime Administration (MARAD) issued a **news release** announcing availability of a report that quantifies methane slip and fugitive emissions from using liquefied natural gas (LNG) for vessel operations and bunkering. The report finds, among other things, that fugitive methane emissions from bunkering pose a potentially greater source of methane release than methane slip at the engine. (2/26/16) [located at http://www.marad.dot.gov/newsroom/news_release/2016/maritime-administration-releases-lng-vessel-operations-emission-report/].

USCG – LNG cargo export exam



The US Coast Guard issued a **notice** stating that its personnel conducted a safety examination of the LNG carrier Asia Vision as it loaded the first US LNG cargo for export. Loading occurred at Cheniere Energy's Sabine Pass facility. This was the first LNG export from the lower 48 states since the 1960s. (2/29/16).

USCG – CG-FAC annual report



The USCG Office of Ports and Facility Compliance (CG-FAC) posted its **2015 Annual Report**. The report highlights activities for the year, including promulgation of the National Strategy for the Waterside Security of Especially Hazardous Cargo. (2/29/16) [located at http://www.uscg.mil/hq/cg5/cg544/docs/CG-FAC%20Year%20In%20Review%202015_Final.pdf].

CMTS – From Sail to Satellite



The Committee on the Marine Transportation System (CMTS) issued a **bulletin** reminding stakeholders that March 7 is the deadline for submittal of abstracts for presentation at “From Sail to Satellite: Delivering Solutions for Tomorrow’s MTS”. The conference is organized by the National Academies and the Transportation Research Board (TRB) and cosponsored by the CMTS. (2/29/16) [located at <http://www.cmts.gov/Bulletin.aspx?id=112>].

NOAA – Pacific Ocean survey



The National Oceanic and Atmospheric Administration (NOAA) issued a **news release** stating that it will survey the sea floor of US waters of the central and western Pacific Ocean to better identify natural resources and ship wrecks. (2/26/16) [located at <http://www.noaa.gov/noaa-explores-protected-areas-and-shipwrecks-pacific-ocean>].

Court – polar bear critical habitat upheld



The US Court of Appeals for the Ninth Circuit reversed the district court’s judgment, which had vacated the designation by the Fish & Wildlife Service (FWS) of critical habitat for the polar bear in areas of the Alaska coast and waters. The FWS designations were found to not be arbitrary or capricious and to be in accordance with the law. **Alaska Oil & Gas Assn v. Jewell**, No. 13-35619 (9th Cir. February 29, 2016) [located at <http://cdn.ca9.uscourts.gov/datastore/opinions/2016/02/29/13-35619.pdf>].

Court – summary judgment reversed



In an unpublished decision, the US Court of Appeals for the Eleventh Circuit reversed the district court’s summary judgment decision in favor of plaintiff insurer in a marine insurance dispute. Defendant insured’s yacht was destroyed in a fire. A dispute arose as to whether poor maintenance had caused the fire. The appellate court held that defendant insured had proffered sufficient evidence to create a triable issue as to whether plaintiff insurer had a sufficient reason to deny the claim. **Atlantic Specialty Insurance v. Mr. Charlie Adventures**, No. 15-12657 (11th Cir., February 29, 2016) [located at <http://media.ca11.uscourts.gov/opinions/unpub/files/201512657.pdf>].

Canada – CTA Review Report



The Government of Canada released the **Canada Transportation Act (CTA) Review Report**. The report, which identifies priorities and potential actions in transportation that will support Canada's long-term economic well-being, includes chapters focused on the North, Climate Change, and Marine Transportation. (2/25/16) [located at <http://www.tc.gc.ca/eng/ctareview2014/canada-transportation-act-review.html>].

China – protection of inland waters



The Chinese Maritime Safety Administration (MSA) issued a **notice** stating that, effective 1 May, vessel pollution control provisions will come into force for inland waters that will: (1) prohibit the discharge of noxious liquid substances, ballast water, wash water, or related mixtures; (2) prohibit incinerator use; (3) prohibit use of oil spill dispersant; (4) prohibit discharge of garbage; and (5) prohibit the discharge of pollutants from ship construction or repair operations. (2/29/16) [located at <http://en.msa.gov.cn/index.php?m=content&c=index&a=show&catid=343&id=176>].

Panama Canal – new Transit Reservation System



The Panama Canal Authority (ACP) issued an advisory announcing that it will be offering online training for its new Transit Reservation System. **Advisory 06-2016** (2/22/16) [located at <https://www.pancanal.com/common/maritime/advisories/2016/a-06-2016.pdf>].

Singapore – electronic log books



The Singapore Maritime and Port Authority (MPA) issued a circular announcing that it will accept the use of electronic log books as equivalent to manual log books provided conditions, including those found in IMO Res. A.916(22), are applied. **Shipping Circular 7-2016** (2/25/16) [located at <http://www.mpa.gov.sg/web/portal/home/port-of-singapore/circulars-and-notices/detail/c58e94cf-320c-4b65-9e62-1b25e4424a5a>].

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